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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 CAMERON E. OLIVER, Individually and
6 on behalf of others similarly situated,
7 Plaintiff,
8 vs.
9 BELL TRANS, a Nevada Corporation, and
10 BRENT J. BELL,
11 Defendants.

CASE NO.: 2:16-cv-0305-JAD-PAL

**ORDER GRANTING FINAL
APPROVAL OF CLASS
AND COLLECTIVE ACTION
SETTLEMENT**

[ECF Nos. 94 and 95]

12 On April 12, 2019, the Court heard the parties' joint motion for final
13 approval of the class action settlement, as set forth in the Stipulation of Settlement
14 ("Stipulation") on file with the Court in this action, the Court also hearing at that time the
15 Plaintiffs' Counsel's unopposed motion for Class Representative Service Award, for a Fee
16 Award and Expense Award for Plaintiff's Counsel, and for an award of \$10,528.00 to the
17 Claims Administrator as provided for in the Stipulation. The Court finds and orders as
18 follows:
19

20 1. For the purposes of this Order, the Court adopts all defined terms as set
21 forth in the Stipulation, previously filed with this Court.

22 2. This Court has jurisdiction over the subject matter of this litigation and
23 personal jurisdiction over the named-plaintiffs, all Class members, and Defendants.

24 3. The Court finds that the distribution of the Notice of Settlement of Class
25 and Collective Action ("Notice") which was carried out pursuant to the Stipulation,
26 constituted the best notice practicable under the circumstances and fully satisfies the
27 requirements of Fed. R. Civ. P. 23, the Fair Labor Standards Act (the "FLSA"), and any
28 other applicable law.

1 4. Pursuant to Fed. R. Civ. P. 23(e) and the FLSA, the Court grants final
2 approval of this settlement and finds that the settlement is fair, reasonable, and adequate
3 in all respects, including the attorneys' fees, costs, and Class Representative Service
4 Award provisions. The Court specifically finds that the settlement confers a substantial
5 benefit to settlement class members, considering the strengths and weaknesses of
6 Plaintiff's claims and the risk, expense, complexity, and duration of further litigation.

7 5. The response of the class supports settlement approval. The Court finds
8 that zero (0) Class Members have objected to the Settlement. A total of seven (7) Class
9 Members have requested exclusion from the Settlement. Those persons who are
10 excluded from the Settlement are set forth at Exhibit "A" and are not subject to any of the
11 provisions of the Settlement. More than 36% of the Class has filed timely and valid claims.
12 These 223 individuals have claimed, and will be paid, approximately \$37,465.47 from the
13 Settlement Fund
14

15 6. The Court finds that the Stipulation was the product of protracted, arm's
16 length negotiations between experienced counsel representing the interests of both sides,
17 which supports approval of the settlement in accordance with the standards set forth in
18 the joint motion for final approval of settlement.

19 7. The Court confirms the appointment of Leon Greenberg and Dana
20 Sniegocki of Leon Greenberg Professional Corporation as class counsel for the
21 settlement class and approves their requests for attorneys' fees of \$46,500.00
22 and an expenses payment of \$4,600.00 from the Settlement Fund for their services on
23 behalf of the Plaintiff and the Class. The Court finds that the foregoing awards from the
24 Settlement Fund are fair and proper for the reasons detailed in the declaration of Plaintiff's
25 Counsel submitted to this Court.

26 8. The Court also finds that Simpluris, as Claims Administrator, shall be
27 paid an award for Administration Costs of \$10,528.00 for administering the Settlement in
28 this matter.

1 9. The Court confirms the appointment of Cameron Oliver as the Class
2 Representative. It also approves and directs the payment of \$5,000 to him, to be paid
3 from the Settlement Fund, as a Class Representative Service Award for prosecuting this
4 case successfully and securing the recovery for the Class and such awards shall be so
5 paid as set forth in the Stipulation.

6 10. Except as stated in this Order, all other terms of the Settlement will
7 remain as stated in the Stipulation and all accompanying documents and the Orders of
8 this Court.

9 11. The Court directs the parties to effectuate the settlement terms as set
10 forth in the Stipulation and the Claims Administrator to calculate and pay the claims of the
11 class members in accordance with the terms set forth in the Stipulation.

12 12. Upon entry of this Order this case will have resulted in a Final
13 Judgment in respect to all claims and all parties and the Complaint will be dismissed with
14 prejudice.
15

16 This Court will retain jurisdiction for purposes of enforcing this Settlement,
17 including payment of the settlement fund, addressing settlement administration matters,
18 and addressing such post-judgment matters as may be appropriate under court rules or
19 applicable law.
20

21 **The Clerk of Court is instructed to CLOSE THIS CASE.**

22 **IT IS SO ORDERED**

23
24 DATED: April 12, 2019.


25 
26 HON. JENNIFER A. DORSEY
27 DISTRICT JUDGE
28

EXHIBIT A

1. Suzanne Mendoza
2. John D. Torres
3. Jon Lochridge
4. Dale Rosenberg
5. Juan Hernandez-Munoz
6. Glenn Denbraber
7. Takuya Kosaka